

CHAPTER 16  
MISCELLANEOUS CRIMINAL OFFENSES

Chapter 16 enacted 5-5-82 by  
Ordinance 82-4.

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Section 16-1. Advertisements--posting without permission.

It shall be unlawful for any person within the corporate limits of the city to print, paint, write, mark or in any way post up any notice, card, advertisement or other device upon any wall, fence, tree, post, building, bridge, sidewalk, street or other property, or cause the same to be done, without permission of the owner or agent thereof, or the mayor if upon public property or the streets and sidewalks of the city.

Section 16-2. Advertisement--tearing down or defacing.

It shall be unlawful for any person, without lawful authority, to tear down or deface any ordinance, bill, notice, advertisement or other paper of a business or legitimate character lawfully posted within the limits of the city, at anytime before the object of such notice has been accomplished.

Section 16-3. Advertisement--signs in or over street or sidewalk.

- a. It shall be unlawful for any person to erect or construct any sign, signpost, signboard, wood or metal awning, permanent advertisement, arch or any other structure above, over, in or around any part of any street or sidewalk in the city without first obtaining permission so to do from the council. Application for such permission shall be in writing and shall contain the name of the person for whose benefit the same is made, the period of time for which such permit is so

- desired, the place where such structure is to be erected or constructed, the dimensions thereof, the material of which the same is to be composed by a blueprint or drawing or tracing of such proposed sign or other structure.
- b. All signs hereafter erected that extend more than two feet beyond the property line over any street, alley or public way in the city shall be constructed entirely of metal or other non-combustible material. No pieces of glass having an area of more than one square foot shall be used in any projecting sign.
  - c. Every sign hereafter erected under and pursuant to the provisions of this section shall be placed at least ten feet above the surface of the public way, between the property line and street curbing, over which any such sign hangs and the portion of any such sign nearest the building against which it is placed shall not be a greater distance than two feet from such building.
  - d. Sandwich boards and other signs of similar construction are prohibited.
  - e. Additional signs shall not be added to any sign, pole or standard without permission from the council, as provided above, having first been obtained.
  - f. All signs must be erected under the supervision of the superintendent of streets and sidewalks. No cement abutment to the support of any sign shall be erected above the ground level on any street or sidewalk. All signs must be properly painted and maintained in a safe condition and city official shall be appointed to make periodic inspections to insure compliance with the provisions of this paragraph.

#### Section 16-4. Air guns, slingshots, etc.

It shall be unlawful for any person to discharge any air gun, sparrow gun, flipper, slingshot, bows and arrows or other similar contrivance within the limits of the city.

#### Section 16-5. Bathing.

It shall be unlawful for any person to bathe or swim in any of the waters of streams within the limits of the city, except in public or private bathhouses, unless attired in a bathing suit of such type as to prevent any indecent exposure of his person.

#### Section 16-6. Beer--hours of sale; minors.

It shall be unlawful for a licensed beer dealer to sell beer or serve beer on or off the premises, or to permit beer to be consumed in his place of business between the hours of one o'clock A.M. and seven o'clock A.M. of each day of the week. It shall be unlawful for any person not holding a retail beer license to sell beer, serve beer, or permit beer to be consumed in his place of business at any time.

It shall be unlawful for any person to either sell or give to minors under the age of twenty-one years any light beer commonly known as that beer containing 3.2 per cent alcohol by weight, whether the same be opened and ready for consumption or in sealed containers.

No person under age twenty-one shall purchase, consume, possess or sell any alcoholic beverage.

\*Amended 2-5-29 by Ordinance 93-03.

#### Section 16-7. Billiard and pool halls.

- a. It shall be unlawful for any person to operate any pool or billiard hall in the City of

Grantsville where games of cards are permitted to be played; or beer, as defined in these ordinances is kept, sold, or consumed, without first making a regulation and enforcing the same and keeping posted in conspicuous place, terms of such regulation which shall read, "No person under 21 years of age permitted in these premises."

- b. It shall be unlawful for any person to charge of or employed in such pool or billiard hall to permit any person under the age of 21 years to enter upon or remain in any of such premises, for any purpose except to make deliveries or carry messages to the proprietor thereof and depart therefrom immediately.
- c. It shall be unlawful for the owner, keeper, manager of, or employee in any public billiard hall or pool hall in this city, to allow or permit such billiard hall or pool hall to be or remain open for business between the hours of one o'clock A.M. and eight o'clock A.M. of each day.

#### Section 16-8. Disturbing the peace.

It shall be unlawful for any person maliciously and willfully to disturb the peace and quiet of another or of any neighborhood or family by loud or unusual noise or by discharging firearms of any description, or by loud, offensive conduct or by threatening, traducing, quarreling, challenging to fight or fighting or by the use of profane or blasphemous language.

#### Section 16-9. Firearms--discharge in City limits--exception.

It shall be unlawful for any person to discharge firearms of any description within the limits of Grantsville City, except in self defense; provided, that this prohibition shall not apply to any peace officer in the discharge of his duty nor to target shooting after the erection of a proper breastwork or battery for the protection of the citizens, as approved by the council, or to legalized seasonal hunting, as provided by the Department of Wildlife Resources.

#### Section 16-10. Flooding streets and sidewalks.

Every person who willfully, carelessly or negligently obstructs, injures or floods any street or sidewalk by the flow or seepage of water, or who willfully, carelessly or negligently permits water under his control to escape in any manner so as to obstruct, injure, flood or sprinkle any street or sidewalk within the limits of this city is guilty of a misdemeanor.

#### Section 16-11. Iceboxes, refrigerators, etc.--abandoned or discarded.

It shall be unlawful and constitute a nuisance for any person to leave outside of any building dwelling, in a place accessible to children, any abandoned, unattended or discarded icebox, refrigerator or any other container of any kind which has an airtight door or lock which cannot be released from the inside or which has an airtight snap lock or other device thereon without first removing the snap lock or doors from such icebox, refrigerator or container.

#### Section 16-12. Minors - sale of tobacco to.

It shall be unlawful for any person to sell, give or furnish any cigar, cigarette or tobacco in any form to any person under nineteen years of age.

#### Section 16-13. Minors, purchase, accepting, having tobacco in possession.

It shall be unlawful for any person under the age of nineteen years of age to purchase, accept or have in his possession any cigar, cigarette or tobacco in any form.

Section 16-14. Minors, curfew.

It shall be unlawful for any person under the age of sixteen years to be or remain in or upon any of the streets, alleys, or public places or vacant lots within Grantsville City between the hours of ten-thirty o'clock P.M. and four A.M. and it shall be unlawful for any minor person or persons under eighteen years of age to be in or on any of the sidewalks, streets, alleys or public places in Grantsville City between 12:00 midnight and 4:00 A.M unless such person is accompanied by a parent, guardian or other person having legal custody of such minor person unless such minor's employment or lawful business makes it necessary to be upon the streets, alleys or public places between the above specified hours in which event such minor person shall obtain a permit from the chief of police so to be upon the streets, alleys or public places.

The chief of police may also designate the curfew hours to between 1:00 o'clock A.M. and 4:00 o'clock A.M upon the request of a responsible person who is promoting a local youth activity. Where a permit is required from the chief of police under this section, such permit shall be kept upon the person and it shall be unlawful to be upon the streets, alleys or public places of the city within the curfew hours without such permit.

It is hereby made unlawful for any parent, guardian or other person having legal charge or custody of any person under sixteen years of age to allow or permit any such child, ward or other person under such age, while in such legal custody, to go or be upon any of the streets, alleys or public places in the city when such going or being in or upon such streets, alleys or public places would be in violation by such minor person of any provision of this section. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor.

Section 16-15. Registers to be kept by hotels, boarding houses, rooming houses, lodging houses, motels, trailer parks and other public lodging places.

It shall be unlawful for the keeper of any hotel, boarding house, lodging house, rooming house or motel, trailer park or other public lodging place to fail to keep a register in which such keeper shall require each guest to write his or her name and place of residence before occupying any sleeping or other room; or to fail to enter on such register opposite the name of each guest the number, letter or other designation of the room assigned to such guest, or fail to keep such register open to the public for inspection at all times until one year after said register shall have been filled. Such register shall be a permanently bound blank book sufficient in size to contain all of the information herein provided to be placed in the same. Any person, be he the owner, proprietor, clerk or any other person having regular or temporary charge of any hotel, boarding house, lodging house, rooming house, motel, trailer park or other public lodging place, who shall violate any provisions of this section, shall be deemed guilty of a public offense.

Section 16-16. Solicitors, peddlers, transient vendors, etc.

The practice of going in an upon private residences in the City by solicitors, peddlers, hawkers, itinerant merchants or transient vendors of merchandise, not having been

requested or invented so to do by the owners or occupants of such private residences, for the purpose of soliciting orders for the sale of goods, wares and merchandise or disposing of or peddling or hawking the same is declared to be a nuisance and punishable as a misdemeanor.

The provisions of this section shall not apply to the sale or soliciting of orders for the sale of milk, dairy products, vegetables, poultry, eggs and other farm and garden produce.

#### Section 16-17. Waters and violation of water rights.

Every person who, in violation of any right of any other person, willfully turns or uses the water, or any part thereof, of any canal, ditch, pipeline, or reservoir, except at a time when the use of the water has been duly distributed to the person, or willfully uses any greater quantity of the water than has been duly distributed to him or in any way changes the flow of water when lawfully distributed for irrigation or other useful purposes, except when duly authorized to make the change, or willfully and maliciously breaks or injures any dam, canal, pipeline, water gate, ditch or other means of diverting or conveying water for irrigation or other useful purposes, is guilty of a misdemeanor.

Chapter 16 was enacted May 5, 1982 by Ordinance number 82- .

#### Section 16-18. Liquor and alcoholic beverages - drinking in public places, places prohibited - opening container of liquor and/or alcoholic beverages in or about a vehicle in which the same is being carried or conveyed prohibited.

##### Definitions:

1. Alcoholic beverage: means and includes beer and liquor as they are defined herein.
2. Beer: means any beverage containing not less than one-half of one percentum of alcohol by weight and obtained by the alcoholic fermentation of an infusion or decoction of any malted grain or similar products. Heavy beer means beer containing more than 3.2 percentum of alcohol by weight. Light beer means beer containing not more than 3.2 percentum of alcohol by weight. Beer may or may not contain hops or other vegetable projects. Beer includes ale, stout and porter.
3. Liquor: means and includes alcohol, or any alcoholic, spirituous, vinous, fermented, malt, or other liquid or combination of liquids, a part of which is spirituous, vinous or fermented, and all other drinks or drinkable liquids, containing more than one-half of one percentum of alcohol by weight; and all mixtures, compounds or preparations, whether liquor or not, which contain more than one-half of one percentum of alcohol by weight, and which are capable of human consumption; except that the term liquor shall not include light beer.
4. Package: shall mean any container, bottle, vessel, or other receptacle immediately containing liquor.
5. Public place: shall mean and include any place, building or conveyance, to which the public has, or is permitted to have access, and any highway, street, lane, park or place of public resort or amusement, and any other place which, under the provisions of this act, has been declared to be a public place.
  - a. It shall be unlawful for any person to drink any alcoholic beverage or to have in his possession any opened container containing any alcoholic beverage in any street, alley, sidewalk, business or other public place, provided however that it shall not be unlawful for any person to drink or to have in his possession an opened container of beer or other alcoholic beverage in a place holding a current business license duly issued by Grantsville City authorizing said business to sell beer or allow such consumption of alcoholic beverages on the business premises.

- b. It shall be unlawful for any person, firm, or corporation within Grantsville City to possess an alcoholic beverage in a container larger than sixty-four ounces, or to withdraw an alcoholic beverage from a container larger than sixty-four ounces or to consume an alcoholic beverage which has been withdrawn from a container larger than sixty-four ounces. The provisions of this subsection shall not apply to any person, firm, or corporation that has been issued a license or permit to sell or distribute alcoholic beverages in Grantsville City, provided, however, that said sale or distribution of alcoholic beverages shall be performed only at such times and places as is authorized by said license.
- c. For the purpose of this section, alcoholic beverage as used herein, means any beverage or drink, containing not less than one-half of one percentum of alcohol by weight. Public place shall mean and include any area or building, to which the public has, or is permitted to have access, and any highway, street, lane, park or place of public resort or amusement.

Section 16-18 was adopted 7-21-82  
by Ordinance number 82-12.

#### Section 16-19. Regulation of parking upon Grantsville City property.

It is unlawful for any person to park, allow to be parked, to place or allow to be placed a motor vehicle, trailer or any other item of personal property upon real property owned or used by Grantsville City for a period of time longer than six (6) hours, unless the property is posted for long term parking or said parking is for the purpose of attending or supporting a City sponsored or authorized event, when the event lasts longer than six (6) hours. Person who violates the provisions of this section shall be guilty of a Class "C" misdemeanor and motor vehicles, trailers or personal property that are unlawfully parked or placed upon City property in violation of this Section may be towed away or removed from said area and impounded. If a vehicle, trailer or item of personal property is towed away, removed or impounded pursuant to this Section, all of the fees for towing, removal, storage or impoundment shall be paid in full before said vehicle or property is released to its owner. For the purposes of this Section, park, parking, place or placed means the standing or location of a vehicle, trailer or other item of personal property, whether occupied or not on any portion of City property for six consecutive hours or for more than six hours during any 24 hour period. In addition, for the purpose of this Section Grantsville City property does not include public roads or streets, which are regulated by this Code.

#### Section 16-20 Penalty

Any person, firm, or corporation violating any of the provisions of this Ordinance shall be punished by a fine in any sum not exceeding two hundred ninety-nine dollars (\$299.00) or by imprisonment in the County Jail for a period not longer than six (6) months, or by both such fine and imprisonment, and each day that any violation of this Ordinance is permitted to continue shall constitute a separate offense. (This section effective 10-16-92 by Ordinance 80-17.)

UPDATED 11/04